

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6724

BILL NUMBER: HB 1338

NOTE PREPARED: May 3, 2007

BILL AMENDED: Mar 15, 2007

SUBJECT: Mental Health and Health Records.

FIRST AUTHOR: Rep. Brown C

FIRST SPONSOR: Sen. C. Lawson

BILL STATUS: Enrolled

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill provides for the maintenance and transfer of a criminal offender's health and mental health records. (The introduced version of this bill was prepared by the Commission on Mental Health.)

Effective Date: July 1, 2007.

Explanation of State Expenditures: This bill allows a psychiatrist or a behavioral health care provider to provide a copy of an offender's health and mental health records to a facility, agency, or health care provider responsible for the incarceration of the offender. This record may be provided with or without the offender's consent, and the record is to become part of the offender's medical record.

The bill requires an operator of a facility or agency from which an offender is transferred to provide the offender's health and mental health records to a facility that is used to house or provide mental health treatment to an offender.

After an offender is released from incarceration, the Department of Correction (DOC) is required to provide the offender's health and mental health records, if any, to a mental health facility, mental health provider, or designated health care provider that is providing mental health treatment to the offender. The DOC reports that the provision of health and mental health records for offenders being released is being addressed in the re-entry plans and should require no additional funds to implement.

Explanation of State Revenues:

Explanation of Local Expenditures: See *Explanation of State Expenditures*.

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: County jails.

Information Sources: Department of Correction.

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